

IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF OKLAHOMA

ORDER

Before the Court is the Report and Recommendation issued by United States Magistrate Judge Shon T. Erwin pursuant to 28 U.S.C. § 636(b)(1)(B)-(C). Judge Erwin recommends a dismissal without prejudice of this action based on Plaintiff's failure to pay the initial partial filing fee of \$6.83, as required by 28 U.S.C. § 1915(b)(1) and the Order Granting Leave to Proceed *In Forma Pauperis*. Judge Erwin further recommends that Plaintiff's pending motions be denied as moot.

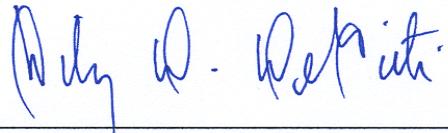
Plaintiff has neither filed a timely objection to the Report nor requested additional time to object.¹ Upon consideration, the Court finds that Plaintiff has waived further review of the issues addressed in the Report. *See Moore v. United States*, 950 F.2d 656, 659 (10th Cir. 1991); *see also United States v. 2121 East 30th St.*, 73 F.3d 1057, 1060 (10th Cir. 1996).

¹ After the deadline for an objection, Plaintiff filed several papers, only one of which arguably concerns fee payment. The purpose of this filing, a “Declaration in Support of Motion to Proceed In Forma Pauperis” [Doc. No. 20], is unclear. It does not address the initial partial payment that was due by April 26, 2017.

IT IS THEREFORE ORDERED that the Report and Recommendation [Doc. No. 18] is ADOPTED in its entirety. This action is DISMISSED without prejudice to refiling. A separate judgment of dismissal shall be entered.

IT IS FURTHER ORDERED that all pending motions [Doc. Nos. 7, 8, 9, 11 & 12] are DENIED.

IT IS SO ORDERED this 7th day of June, 2017.



TIMOTHY D. DEGIUSTI
UNITED STATES DISTRICT JUDGE